

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

Case No: [16-cv-00236-WHO](#)Case Name: Planned Parenthood Federation of America, Inc.v. Center for Medical Progress

**TRIAL SHEET, EXHIBIT and WITNESS LIST**

<b>JUDGE:</b> William H. Orrick	<b>PLAINTIFF ATTORNEYS:</b> Rhonda Renee Trotter, Amy Lynne Bomse, Sharon D. Mayo, Diana K. Sterk, and Jeremy T. Kamras	<b>DEFENSE ATTORNEYS:</b> Harmeeet K. Dhillon, Paul Jonna, Charles S. LiMandri, Peter Breen, Michael Millen, Catherine Short, Edward L. White, III, Horatio Mihet, Dorothy Yamamoto, and Vladimir J. Kozino
<b>TRIAL DATE:</b> 10/10/2019 7:32 a.m. to 1:01 p.m.	<b>REPORTERS:</b> Debra Pas and Belle Ball	<b>CLERK:</b> Jean Davis

PLF NO.	DEF NO.	DATE/TIME OFFERED	ID	REC	DESCRIPTION
		<b>10/10/2019</b> 7:32 a.m.			Court in session (jury out) Motions regarding the audio associated with video clips is taken up. Audio related to Exhibit 5070 will be allowed; audio related to Exhibit 5107 will not be allowed. The motion to exclude witnesses will be tabled until tomorrow's attorney conference. Court queries counsel as to possible stipulation regarding law enforcement reports. Appropriate scope of testimony and video clips revisited. The admissibility of Exhibit 72 discussed.
<b>72</b>					Prior admission is revoked; the jurors were not shown this exhibit; it was used in an effort to refresh the witness's recollection. The exhibit is excluded. A redacted form of the exhibit may be offered for admission at a later time.
		7:54 a.m.			The anticipated scope of the testimony of Melissa Fowler taken up. She will be allowed to testify as to her knowledge of the basis for implementation of security measures by NAF.
		7:59 a.m.			Further testimony of Susan Merritt and related exhibits discussed; Plaintiff requests additional discussion of the testimony at the first break.
		8:02 a.m.			Basis for Ms. Fowler's knowledge taken up
		8:04 a.m.			Court in recess
		8:13 a.m.			Court in session; jury present
		8:13 a.m.			Defense cross examination of <b>Alvin Rhomberg</b> continues (Short)
		9:02 a.m.			Plaintiff redirect of <b>Alvin Rhomberg</b> (Kamras)
<b>6103</b>		9:13 a.m.	X	X	Admitted without objection

Case No: 16-cv-00236-WHOCase Name: Planned Parenthood Federation of America, Inc. v. Center for Medical ProgressDate: October 10, 2019Courtroom Deputy: Jean Davis- Court Reporters: Debra Pas and Belle Ball**EXHIBIT and WITNESS LIST CONTINUED**

PLF NO.	DEF NO.	DATE/TIME OFFERED	ID	REC	DESCRIPTION
		<b>10/10/2019</b> 9:14 a.m.			Follow up examination of <b>Alvin Rhomberg</b> (Short)
		9:16 a.m.			Witness excused
		9:17 a.m.			Witness <b>Melissa Fowler</b> sworn; Plaintiff direct examination (Bomse)
		9:40 a.m.			Jurors excused; current witness and Susan Merritt excluded from the courtroom.
		9:41 a.m.			Plaintiff objection to video clip related to Susan Merritt's prior testimony discussed. Information submitted by plaintiff counsel (with copy to defense) for in camera review. The Court directs that the substance of the conference not be shared with Ms. Merritt.
		9:49 a.m.			Court in recess
		10:02 a.m.			Court in session (jury present) Plaintiff direct examination of <b>Melissa Fowler</b> continues (Bomse)
<b>565</b>		10:03 a.m.	X	X	Admitted without objection
<b>729</b>		10:12 a.m.	X	X	Admitted without objection
<b>729A</b>		10:18 a.m.	X	X	Admitted without objection
<b>8015</b>		10:19 a.m.	X	X	Admitted by stipulation
<b>1012</b>		10:28 a.m.	X	X	Admitted by stipulation
<b>567</b>		10:35 a.m.	X	X	Admitted by stipulation
		10:40 a.m.			Defense cross examination of <b>Melissa Fowler</b> (Dhillon)
		11:27 a.m.			Court in recess
		11:40 a.m.			Court in session (jurors present) Defense cross examination of <b>Melissa Fowler</b> continues (Kozino)
		11:52 a.m.			Defense cross examination of <b>Melissa Fowler</b> continues (LiMandri)
		11:54 a.m.			Defense cross examination of <b>Melissa Fowler</b> continues (Short)
		11:59 a.m.			Defense cross examination of <b>Melissa Fowler</b> continues (Mihet)
		12:03 p.m.			Plaintiff redirect of <b>Melissa Fowler</b> (Bomse)
		12:12 p.m.			Defense follow up examination of <b>Melissa Fowler</b> (Kozino)

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PLF NO.	DEF NO.	DATE/TIME OFFERED	ID	REC	DESCRIPTION
		<b>10/10/2019</b> 12:14 p.m.			Defense follow up examination of <b>Melissa Fowler</b> (LiMandri)
		12:15 p.m.			Defense follow up examination of <b>Melissa Fowler</b> (Short)
		12:16 p.m.			Witness excused
		12:16 p.m.			Witness <b>Thomas Moran</b> sworn; plaintiff direct examination (Sterk)
<b>6116</b>		12:37 p.m.	X	X	Admitted without objection
		12:53 p.m.			Defense cross examination of <b>Thomas Moran</b> (LiMandri)
		1:01 p.m.			Court in recess

Plaintiff beginning time: 37 hours, 30 minutes

Plaintiff time used: 2 hours, 8 minutes

Plaintiff time remaining: 35 hours, 22 minutes

Defendant beginning time: 40 hours, 26 minutes

Defendant time used: 2 hours, 12 minutes

Defendant time remaining: 38 hours, 14 minutes